

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

DANNY CLAY, CORY BEAL, HUGH
HOLLON, MONALETO SNEED and
RODNEY WASHINGTON,

Plaintiffs,

v.

GARY MATHEWS MOTORS, LLC,
MATHEWS NISSAN, INC., A. GARY
MATHEWS and DAVID CARSON,

Defendants.

Case No. 3:13CV1017
CHIEF JUDGE HAYNES
JURY DEMAND

OK
This motion
is GRANTED
See [signature]
18710

**DEFENDANTS' MOTION FOR LEAVE TO FILE FIRST AMENDED ANSWERS TO
STATE ADDITIONAL AFFIRMATIVE DEFENSES TO PLAINTIFFS' COMPLAINT**

7-23-14

Pursuant to Rule 15 of the Federal Rules of Civil Procedure, Defendants Gary Mathews Motors, LLC, Mathews Nissan, Inc., A. Gary Mathews, and David Carson ("Defendants") respectfully move the Court for leave to file their First Amended Answers in order to state lack of standing and judicial estoppel as additional Affirmative Defenses as to certain Plaintiffs, as well as specifically note that four of the five plaintiffs had no relationship with Mathews Nissan, Inc.¹ In addition, the Amended Answers clarify in the pleadings that Mathews Nissan, Inc. has been substituted as the alleged employer of Plaintiff Rodney Washington. The Defendants' proposed Amended Answers are attached collectively to this Motion as Exhibit 1 (Amended Answers).

¹ Plaintiff was previously permitted to amend its Complaint by substitution of a different party, Mathews Nissan, Inc. (Order, Docket Entry # 27) for Gary Mathews Motors, Inc. and Gary Mathews Motors North, Inc.. However, no formal Amended Complaint was submitted by Plaintiffs at that time. Out of an abundance of caution, Defendants request permission to file the attached Amended Answers in accordance with Rule 15, Fed. R. Civ. P.